

### **CUBA (TIER 3)**

Cuba is a source country for women and children trafficked for the purposes of sexual exploitation and forced child labor. The nature and extent of trafficking in the country is hard to gauge due to the closed nature of the government and a lack of non-governmental reporting.<sup>1</sup> However, Cuba is a major destination for sex tourism, which largely caters to hundreds of thousands of European, Canadian, and Latin American tourists. Cuba's thriving sex trade involves large numbers of minors and there is anecdotal evidence that state-run hotel workers, travel company employees, taxicab drivers, bar and restaurant workers, and law enforcement personnel are complicit in the commercial sexual exploitation of these children. There are also reports that Cuban women have been trafficked to Mexico for sexual exploitation, in addition to unconfirmed reports that Cubans are forced to work as deckhands on smuggling trips in order to pay off large smuggling debts. Cuban forced labor victims also include children coerced into working in commercial agriculture.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Information related to trafficking in Cuba is difficult to obtain because the Government of Cuba will not publicly release information and any attempt to engage the Government of Cuba is rebuffed as politically motivated. To improve its efforts to combat trafficking, the government should publicly acknowledge that trafficking occurs and make efforts to investigate, prosecute, and convict those who are abusing women and children in the sex trade.

#### *Prosecution*

The government has no anti-trafficking law enforcement policy and there were no investigations, arrests, prosecutions, or convictions of traffickers over the period covered by this report. The Cuban penal code provides penalties for trafficking-related crimes; however, the Cuban Government does not provide information on the actual enforcement of these laws. Article 302 of the Cuban penal code provides for penalties ranging between four and 20 years for inducing or promoting prostitution. Penalties are increased to 20 to 30 years if the act involves facilitating a person's entry to or exit from the country. Article 316 provides penalties of seven to 15 years' imprisonment for the trafficking of minors. Cuba also has laws against forced labor and sexual exploitation. Despite the presence of laws that may be used to prosecute traffickers, it is not known if any such laws resulted in a prosecution or a conviction during the reporting period. There were no known investigations or prosecutions of public officials for complicity in trafficking during the reporting period.

#### *Protection*

Cuban Government efforts to aid trafficking victims were not seen or reported over the last year. Victims are punished for unlawful acts committed as part of their being trafficked; women and children in prostitution are occasionally sent to "reeducation" programs, and most are sentenced to several years in prison. Furthermore, "rehabilitation centers" for women and children engaged in prostitution (some of whom may be trafficking victims) are not staffed with personnel who are trained or equipped to adequately care for potential trafficking victims. Additionally, there is evidence to suggest that such rehabilitation centers are in fact the equivalent of prisons and do not provide any necessary services to the women and children housed there. There is no

coordination on trafficking-related matters with international organizations or NGOs operating in the country.

*Prevention*

The government undertakes no information campaigns to prevent trafficking for sexual exploitation, and does not officially admit that Cuba has a trafficking problem. There are passing references to trafficking-related issues in a National Action Plan for Youth and Adolescents, but nothing specific regarding the prevention of trafficking or how to address the growing numbers of children engaged in prostitution in the country. The Cuban Government does not tolerate independent NGOs and most are in fact operating